

THIRTY-SEVENTH DAY.

(Continued.)

(Thursday, April 2, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

BILL ORDERED PRINTED.

Mr. Duvall moved that House bill No. 249, reported adversely, with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—95.

Anderson.	Hughes.
Akin.	Jackson.
Beck.	Johnson
Bedford.	of Dallam.
Bond.	Johnson
Bounds.	of Dimmit.
Boyd.	Jones of Atascosa.
Bradley.	Justiss.
Brooks.	Kennedy.
Bryant.	Laird.
Carpenter.	Lasseter.
Caven.	Lee.
Claunch.	Lockhart.
Coltrin.	Long.
Coombes.	McCombs.
Cox of Limestone.	McGill.
Cunningham.	McGregor.
Dale.	Mehl.
Daniel.	Metcalf.
Davis.	Moffett.
Dodd.	Olsen.
Donnell.	Patterson.
Dunlap.	Pope.
Duvall.	Ratliff.
Engelhard.	Ray.
Farmer.	Reader.
Farrar.	Richardson.
Ferguson.	Rogers.
Fisher.	Rountree.
Forbes.	Satterwhite.
Fuchs.	Savage.
Gilbert.	Scott.
Giles.	Shelton.
Greathouse.	Sherrill.
Hanson.	Smith of Bastrop.
Hardy.	Sparkman.
Harman.	Stevenson.
Harrison	Steward.
of El Paso.	Strong.
Hatchitt.	Sullivant.
Hines.	Tarwater.
Holder.	Terrell
Holland.	of Cherokee.
Holloway.	Terrell
Hoskins.	of Val Verde.
Howsley.	Towery.
Hubbard.	Van Zandt.

Veatch.
Walker.
West of Coryell.

Westbrook.
Wyatt.
Young.

Nays—29.

Adamson.	Jones of Shelby.
Albritton.	Lilley.
Alsup.	McDougald.
Baker.	Magee.
Barron.	Munson.
DeWolfe.	Petsch.
Dwyer.	Ramsey.
Elliott.	Sanders.
Finn.	Stephens.
Ford.	Vaughan.
Goodman.	Wagstaff.
Graves.	Warwick.
Grogan.	Weinert.
Hill.	West of Cameron.
Johnson of Morris.	

Absent.

Adams of Harris.	Kayton.
Adams of Jasper.	Keller.
Adkins.	Lemens.
Brice.	Leonard.
Burns	Martin.
of McCulloch.	Mathis.
Burns of Walker.	Moore.
Cox of Lamar.	Murphy.
Dowell.	Nicholson.
Harrison	O'Quinn.
of Waller.	Smith of Wood.
Hefley.	Turner.
Herzik.	Wiggs.

Absent—Excused.

Morse.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Leonard, House bill No. 504 was ordered not printed.

On motion of Mr. Van Zandt, House bill No. 997 was ordered not printed.

HOUSE BILL NO. 336 ON SECOND READING.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways, etc., and declaring an emergency."

The bill have been read second time on yesterday, with amendment by Mr. Petsch, pending.

Mr. Kennedy offered the following amendment to the amendment:

Amend the Petsch amendment to House bill No. 336 by striking out "12,000 pounds" wherever it occurs in the amendment and substitute "8000 pounds" for same.

(Pending consideration of the amendment, Mr. Johnson of Dimmit occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Burns of Walker (by unanimous consent), offered the following amendment, to be incorporated as a part of the amendment by Mr. Petsch:

Amend the Petsch amendment to House bill No. 336 by adding an additional paragraph to the end of same, to read as follows:

"By the term 'place of production and/or origin,' as used in this law, is meant the farm or ranch on which the agricultural products, live stock and timber are grown and the mine, oil well or quarry from which the stone or minerals are secured."

RESOLUTION AND BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolution and bill:

H. C. R. No. 47, Recalling House bill No. 725 from the Governor.

H. B. No. 750, "An Act amending Section or Subdivision 12 of Article 199 of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Twelfth Judicial District of Texas; and changing the length of the terms of the district courts of certain of the counties in said judicial district, etc., and declaring an emergency."

MESSAGE FROM THE SENATE. Senate Chamber,

Austin, Texas, April 2, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 577, A bill to be entitled "An Act appropriating the sum of \$500 to be used by the leasing board of eleemosynary and State Memorial Park lands to be used for advertising for bids of mineral leases on lands

owned and held by the State as State eleemosynary and State Memorial Park lands for oil and gas leases, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

INVITATION FROM THE EAST TEXAS CHAMBER OF COMMERCE.

Mr. Harman, being presented by Speaker Minor, introduced Dr. Bowie of Marlin, Texas, to the House.

Dr. Bowie then invited the members of the House to attend the East Texas Chamber of Commerce meeting, to be held in Marlin on April 19, 20 and 21.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 2, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 114, A bill to be entitled "An Act requiring all public cotton classers to have a Federal cotton classers' license, etc., and declaring an emergency."

H. B. No. 750, A bill to be entitled "An Act amending Section or Subdivision 12 of Article 199 of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Twelfth Judicial District of Texas; and changing the length of the terms of the district courts of certain of the counties in said judicial district, etc., and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE RE- PORT ON SENATE BILL NO. 367.

Mr. Justiss submitted the following conference committee report on Senate bill No. 367:

Committee Room,
Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your conference committee on Senate bill No. 367, ap-

pointed by your respective bodies to adjust the differences between the House and Senate on same, have had the same under consideration and beg leave to report that we have adjusted and agreed upon the differences between the two houses, and recommend the following:

(1) That Senate bill No. 367, as amended by the House of Representatives, be, and is, adopted by the conference committee as its report and recommendation; that is to say, that the appropriation of twenty-one thousand seven hundred twenty-seven dollars (\$21,727), as adopted by the Senate, is changed to fourteen thousand seven hundred twenty-seven dollars (\$14,727), as adopted by the House, and the bill as rewritten embodying the above is submitted as our report, with the recommendation that it be adopted, as follows:

S. B. No. 367.

By Greer.

A BILL

To Be Entitled

An Act providing relief for the Frost Independent School District of Navarro county, Texas, in order to aid said school district in rebuilding its properties and equipping its schools destroyed by the cyclone which struck the community of Frost on May 6, 1930; making an appropriation to said district for said purpose and for the maintenance of its schools, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That by reason of the destruction by cyclone of five hundred thousand dollars (\$500,000) of property in the community of Frost, Navarro county, Texas, on May 6, 1930, and the resultant decrease in property values, the inability of the taxpayers to pay their taxes, and the destruction of school property and equipment by reason of said cyclone, all of which was great public calamity, there is hereby appropriated to the said Frost Independent School District, Navarro county, Texas, the total sum of fourteen thousand seven hundred and twenty-seven dollars (\$14,727), to be used as follows:

For the purpose of equipping, constructing, repairing and rehabilitating the buildings of said district, the sum of fourteen thousand seven hundred and twenty-seven dollars (\$14,727).

Sec. 2. Said money shall not be paid except on warrants of the Comptroller on sworn accounts as needed and as the construction progresses and the equipment is bought.

Sec. 3. The fact that thousands of dollars' worth of property was destroyed by said cyclone, causing strife and consternation among the residents of said school district, and the inability of the people to restore said property and equip it to its former state by reason of the constitutional limitation on the rate of taxes that may be imposed, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days be suspended, and such rule is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

GREER,
PATTON,
THOMASON,
WOODRUFF,
MARTIN,

On the part of the Senate.

MURPHY,
FORD,
JUSTISS,
RAMSEY,

On the part of the House.

On motion of Mr. Justiss, the report was adopted by the following vote:

Yeas—102.

Adams of Jasper.	Dwyer.
Adkins.	Elliott.
Albritton.	Farmer.
Alsup.	Farrar.
Anderson.	Fisher.
Baker.	Forbes.
Beck.	Ford.
Bedford.	Fuchs.
Bounds.	Gilbert.
Boyd.	Giles.
Brice.	Goodman.
Brooks.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Carpenter.	Harrison
Claunch.	of El Paso.
Coltrin.	Hill.
Cox of Lamar.	Hines.
Cunningham.	Holland.
Dale.	Holloway.
Daniel.	Howsley.
Davis.	Johnson
Donnell.	of Dallam.
Dunlap.	Johnson
Duvall.	of Dimmit.

Johnson of Morris.	Petsch.
Jones of Atascosa.	Pope.
Jones of Shelby.	Ratliff.
Justiss.	Ray.
Keller.	Reader.
Kennedy.	Richardson.
Laird.	Rogers.
Lasseter.	Rountree.
Lee.	Satterwhite.
Lemens.	Savage.
Leonard.	Scott.
Lilley.	Shelton.
Lockhart.	Smith of Bastrop.
Long.	Sparkman.
McDougald.	Stevenson.
McGill.	Steward.
McGregor.	Strong.
Magee.	Terrell
Martin.	of Val Verde.
Mathis.	Towery.
Mehl.	Turner.
Metcalfe.	Van Zandt.
Moffett.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Nicholson.	West of Cameron.
Olsen.	West of Coryell.
O'Quinn.	Westbrook.

Nays—25.

Adams of Harris.	Hughes.
Akin.	Kayton.
Burns	McCombs.
of McCulloch.	Moore.
Coombes.	Patterson.
DeWolfe.	Sanders.
Dodd.	Sherrill.
Engelhard.	Smith of Wood.
Ferguson.	Stephens.
Graves.	Sullivant.
Hardy.	Vaughan.
Holder.	Warwick.
Hoskins.	Young.

Present—Not Voting.

Tarwater.

Absent.

Adamson.	Hatchitt.
Barron.	Hefley.
Bond.	Herzik.
Bradley.	Hubbard.
Caven.	Jackson.
Cox of Limestone.	Ramsey.
Dowell.	Terrell
Finn.	of Cherokee.
Harman.	Weinert.
Harrison	Wiggs.
of Waller.	Wyatt.

Absent—Excused.

Morse.

COMMITTEE IN COMPLIANCE
WITH HOUSE CONCURRENT
RESOLUTION NO. 26.

The Speaker announced the appointment of the following committee in compliance with House concurrent resolution No. 26:

Mrs. Moore and Messrs. Metcalfe and Giles.

COMMITTEE IN COMPLIANCE
WITH HOUSE CONCURRENT
RESOLUTION NO. 33.

The Speaker announced the appointment of the following committee in compliance with House concurrent resolution No. 33:

Mr. Finn and Mrs. Rountree.

RECALLING HOUSE BILL NO. 242
FROM GOVERNOR.

Mr. Alsup offered the following resolution:

H. C. R. No. 48, Recalling House bill No. 242 from Governor.

Whereas, House bill No. 242 is now in the Governor's office; and

Whereas, It is the desire of the authors of this bill to correct some errors in the bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That House bill No. 242 be returned from the Governor's office for corrections.

The resolution was read second time, and was adopted.

SENATE BILLS ON FIRST READ-
ING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 114, to the Committee on Agriculture.

Senate bill No. 577, to the Committee on Appropriations.

Senate bill No. 26, to the Committee on Insurance.

HOUSE BILLS ON FIRST READ-
ING.

The following House bills, introduced today (by unanimous consent), were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Johnson of Dimmit:

H. B. No. 1001, A bill to be entitled "An Act amending Article 614, Re-

vised Criminal Statutes of Texas, 1925, governing roping contests; providing a penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Johnson of Dimmit:

H. B. No. 1002, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

(Relating to filing of briefs in cases in the Supreme Court.)

Referred to Committee on Judiciary.

By Mr. Adams of Jasper:

H. B. No. 1003, A bill to be entitled "An Act amending Section 1, Chapter 306, Acts of Regular Session, Forty-first Legislature, and declaring an emergency."

(Relating to compensation of county commissioners in certain counties.)

Referred to Committee on State Affairs.

By Mr. Petsch:

H. B. No. 1004, A bill to be entitled "An Act to amend Article 591 of Chapter 2, of Title 8, of the Code of Criminal Procedure of Texas, Revision of 1925, as amended by Chapter 41 of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

RECESS.

On motion of Mr. Patterson, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Sanders, Senate bill No. 577 was ordered not printed.

SENATE BILL NO. 577 ON SECOND READING.

Mr. Sanders moved that the constitutional rule requiring bills to be

read on three several days be suspended and that Senate bill No. 577 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Harris.	Jackson.
Adams of Jasper.	Johnson
Akin.	of Dallam.
Albritton.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Bedford.	Jones of Shelby.
Bounds.	Kayton.
Boyd.	Lasseter.
Bradley.	Lee.
Brice.	Lemens.
Brooks.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	McCombs.
Carpenter.	McDougald.
Caven.	McGill.
Claunch.	McGregor.
Cox of Lamar.	Magee.
Cox of Limestone.	Martin.
Cunningham.	Mehl.
Daniel.	Metcalfe.
Davis.	Moffett.
DeWolfe.	Moore.
Dodd.	Munson.
Donnell.	Murphy.
Dunlap.	Olsen.
Duvall.	Patterson.
Dwyer.	Petsch.
Elliott.	Pope.
Engelhard.	Ramsey.
Farmer.	Ray.
Farrar.	Reader.
Finn.	Richardson.
Fisher.	Rountree.
Ford.	Sanders.
Fuchs.	Satterwhite.
Gilbert.	Shelton.
Goodman.	Sherrill.
Greathouse.	Sparkman.
Grogan.	Stephens.
Hanson.	Stevenson.
Harrison	Strong.
of El Paso.	Sullivan.
Harrison	Terrell
of Waller.	of Val Verde.
Hatchitt.	Van Zandt.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Walker.
Holland.	Warwick.
Hoskins.	West of Cameron.
Howsley.	Westbrook.
Hubbard.	Wyatt.
Hughes.	Young.

Nays—1.

Kennedy.

Absent.

Adamson.	Keller.
Adkins.	Laird.
Anderson.	Leonard.
Barron.	Long.
Beck.	Mathis.
Bond.	Nicholson.
Burns	O'Quinn.
of McCulloch.	Ratliff.
Coltrin.	Rogers.
Coombes.	Savage.
Dale.	Scott.
Dowell.	Smith of Bastrop.
Ferguson.	Smith of Wood.
Forbes.	Steward.
Giles.	Tarwater.
Graves.	Terrell
Hardy.	of Cherokee.
Harman.	Towery.
Hefley.	Turner.
Holloway.	Weinert.
Jones of Atascosa.	West of Coryell.
Justiss.	Wiggs.

Absent—Excused.

Morse.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 577, A bill to be entitled "An Act appropriating the sum of five hundred dollars (\$500) to be used by the leasing board of eleemosynary and State Memorial Park lands to be used for advertising for bids on mineral leases on lands owned and held by the State as State eleemosynary and State Memorial Park lands for oil and gas leases, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 577 ON THIRD READING.

The Speaker then laid Senate bill No. 577 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104.

Adams of Harris.	Brice.
Adams of Jasper.	Brooks.
Adamson.	Bryant.
Akin.	Burns of Walker.
Albritton.	Carpenter.
Alsup.	Caven.
Baker.	Claunch.
Bedford.	Cox of Lamar.
Bounds.	Cox of Limestone.
Boyd.	Cunningham.
Bradley.	Daniel.

Davis.	McDougald.
DeWolfe.	McGill.
Dodd.	McGregor.
Donnell.	Magee.
Dunlap.	Mehl.
Dwyer.	Moffett.
Elliott.	Moore.
Engelhard.	Munson.
Farmer.	Murphy.
Finn.	Olsen.
Ford.	Patterson.
Fuchs.	Petsch.
Gilbert.	Pope.
Greathouse.	Ramsey.
Grogan.	Ray.
Hanson.	Reader.
Harman.	Richardson.
Harrison	Rountree.
of El Paso.	Sanders.
Hatchitt.	Satterwhite.
Herzik.	Savage.
Hill.	Shelton.
Hines.	Sherrill.
Holder.	Sparkman.
Holland.	Stephens.
Hoskins.	Stevenson.
Howsley.	Strong.
Hubbard.	Sullivant.
Hughes.	Terrell
Jackson.	of Cherokee.
Johnson	Terrell
of Dallam.	of Val Verde.
Johnson	Towery.
of Dimmit.	Van Zandt.
Johnson of Morris.	Vaughan.
Jones of Shelby.	Veatch.
Kayton.	Wagstaff.
Kennedy.	Walker.
Lasseter.	Warwick.
Lee.	West of Cameron.
Lemens.	Westbrook.
Lilley.	Wyatt.
Lockhart.	Young.
McCombs.	

Nays—1.

Jones of Atascosa.

Absent.

Adkins.	Graves.
Anderson.	Hardy.
Barron.	Harrison
Beck.	of Waller.
Bond.	Hefley.
Burns	Holloway.
of McCulloch.	Justiss.
Coltrin.	Keller.
Coombes.	Laird.
Dale.	Leonard.
Dowell.	Long.
Duvall.	Martin.
Farrar.	Mathis.
Ferguson.	Metcalfe.
Fisher.	Nicholson.
Forbes.	O'Quinn.
Giles.	Ratliff.
Goodman.	Rogers.

Scott. Turner.
 Smith of Bastrop. Weinert.
 Smith of Wood. West of Coryell.
 Steward. Wiggs.
 Tarwater.

Absent—Excused.

Morse.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read, the following enrolled bills:

S. B. No. 577, "An Act appropriating the sum of five hundred dollars (\$500) to be used by the leasing board of eleemosynary and State Memorial Park lands to be used for advertising for bids of mineral leases on lands owned and held by the State as State eleemosynary and State Memorial Park lands for oil and gas leases, and declaring an emergency."

S. B. No. 367, "An Act providing relief for the Frost Independent District of Navarro county, Texas, in order to aid said school district in rebuilding its properties and equipping its schools destroyed by the cyclone which struck the community of Frost on May 6, 1930; making an appropriation to said district for said purpose and for the maintenance of its schools, and declaring an emergency."

HOUSE BILL NO. 336 ON PAS- SAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 336, relative to regulating weight of motor vehicles used for transporting supplies on public highways, the bill having heretofore been read second time, with amendment by Mr. Petsch and amendment by Mr. Kennedy to the amendment, pending.

Mr. Patterson moved the previous question on the pending amendments, and the main question was ordered.

Question first recurring on the amendment by Mr. Kennedy, it was adopted.

Question then recurring on the amendment by Mr. Petsch as amended, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—24.

Albritton.	Moffett.
Cox of Limestone.	Petsch.
Donnell.	Reader.
Engelhard.	Scott.
Farmer.	Stevenson.
Hardy.	Terrell
Hatchitt.	of Cherokee.
Holland.	Terrell
Howsley.	of Val Verde.
Hubbard.	Vaughan.
Jones of Shelby.	Walker.
Kennedy.	Warwick.
Lockhart.	Young.

Nays—107.

Adams of Harris.	Herzik.
Adams of Jasper.	Hill.
Adamson.	Hines.
Adkins.	Holder.
Akin.	Holloway.
Alsup.	Hoskins.
Anderson.	Hughes.
Baker.	Jackson.
Beck.	Johnson
Bedford.	of Dimmit.
Bond.	Johnson of Morris.
Bounds.	Jones of Atascosa.
Boyd.	Justiss.
Bradley.	Kayton.
Brice.	Keller.
Brooks.	Laird.
Bryant.	Lee.
Burns of Walker.	Lemens.
Caven.	Leonard.
Claunch.	Lilley.
Coltrin.	McCombs.
Cox of Lamar.	McDougald.
Cunningham.	McGill.
Dale.	McGregor.
Daniel.	Magee.
Davis.	Martin.
Dodd.	Mehl.
Dunlap.	Moore.
Duvall.	Munson.
Dwyer.	Murphy.
Elliott.	Olsen.
Farrar.	O'Quinn.
Ferguson.	Patterson.
Finn.	Pope.
Fisher.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Richardson.
Gilbert.	Rogers.
Goodman.	Sanders.
Graves.	Satterwhite.
Greathouse.	Savage.
Grogan.	Shelton.
Hanson.	Sherrill.
Harrison	Smith of Bastrop.
of El Paso.	Smith of Wood.
Harrison	Sparkman.
of Waller.	Stephens.

Steward.	Veatch.
Strong.	Wagstaff.
Sullivan.	Weinert.
Tarwater.	West of Cameron.
Towery.	West of Coryell.
Turner.	Westbrook.
Van Zandt.	Wyatt.

Absent.

Barron.	Johnson
Burns	of Dallam.
of McCulloch.	Lasseter.
Carpenter.	Long.
Coombes.	Mathis.
DeWolfe.	Metcalfe.
Dowell.	Nicholson.
Giles.	Rountree.
Harman.	Wiggs.
Hefley.	

Absent—Excused.

Morse.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, Section 5, page 3, by adding after the word "vehicle" the following: "provided, for the protection of stock raisers, as authorized by Section 23 of Article 16, of the Constitution of Texas, it is hereby provided that any person operating solely between places of production or concentration of live stock or live stock products and the nearest available market or most practicable shipping point for such live stock or live stock products, and not exceeding in any event a distance of 75 miles, may lawfully carry a load not exceeding 12,000 pounds of live stock or live stock products on any such vehicle or train or combination of vehicles."

Mr. Anderson offered the following amendment to the amendment:

Insert "or other" after the words "live stock and products and commodities."

Mr. Davis moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question then recurring on the amendment to the amendment, it was lost.

Question then recurring on the amendment by Mr. Stevenson, it was lost.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, line 34, by striking out the word "five" and insert in lieu thereof the word "ten."

Mr. Satterwhite offered the following substitute for the amendment:

Amend House bill No. 336 by striking out all of Section 5 and inserting in lieu thereof the following:

"Sec. 5. No vehicle with four wheels or less, whose gross weight, including load, is more than 18,000 pounds; no vehicle with six wheels, whose gross weight, including load, is more than 24,000 pounds (axles of this type of vehicle to be spaced over 60 inches apart); no vehicle having a greater weight than 8000 pounds on any one axle; and no vehicle having a greater weight than 600 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim), shall be permitted or operated on the public highways of this State. When the axles of any vehicle or any combination of vehicles are spaced less than 8 feet apart, the load on any one axle shall not exceed 8000 pounds; provided, however, that when any vehicle equipped with not more than two axles shall have one of said axles mounted upon four wheels (two wheels at each end of the axle operating in tandem), the maximum weight permitted on each axle of this type shall not exceed 9000 pounds.

"No commercial motor vehicle, truck, tractor, trailer or semi-trailer shall be operated on the public highway with a gross weight in excess of more than 5 per cent of its registered gross weight; provided, the Department shall have and is hereby granted authority to grant permits for a limited trip or time and between specified places for the transportation of a single article exceeding said weight, which said permits shall be in writing, shall be carried by the person in charge of said vehicle, and shall be in all cases limited to the shortest practicable haul over the public highways."

SATTERWHITE,
McGILL,
WEST of Coryell.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on Senate bill No. 367 by the following vote: yeas 28, nays 3.

The Senate has adopted House concurrent resolution No. 48, Recalling House bill No. 242 from the Governor's office for correction.

Respectfully,
BOB BARKER,
Secretary of the Senate.

RECESS.

Mr. McGill moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Farrar moved that the House recess to 8:30 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Farrar, it was lost.

Question then recurring on the motion by Mr. McGill, it prevailed, and the House accordingly, at 5 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

State Affairs: House bill No. 504.
Insurance: House bills Nos. 605 and 978.

The following committee filed an adverse report, as follows:

Counties: House bill No. 823.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, April 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 47, Recalling House bill No. 725 from Governor.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 2, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 750, "An Act amending Section or Subdivision 12 of Article 199 of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Twelfth Judicial District of Texas; and changing the length of the terms of the district courts of certain of the counties in said judicial district; enacting necessary provisions with reference to processes, writs, bonds, recognizances and with reference to grand and petit jurors made necessary by the changes made by this act, and validating and legalizing the same; providing that this act shall take effect August 1, 1931, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

THIRTY-SEVENTH DAY.

(Continued.)

(Friday, April 3, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today (by unanimous consent), were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Long:

H. B. No. 1005, A bill to be entitled "An Act amending Article 7059, Revised Civil Statutes of 1925, levying and imposing a tax upon every individual, company, corporation or association conducting a magnetic or wireless telegraph business based upon the gross receipts derived from such business; prescribing the methods of computing the same, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Stephens and Mr. Brice:

H. B. No. 1006, A bill to be entitled "An Act amending Chapter 91, Acts First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts First Called Session, Forty-first Legislature, and declaring an emergency."

(Amending local laws relating to school supervisor.)

Referred to Committee on Education.

By Mr. Sanders and Mr. Harrison of El Paso:

H. B. No. 1007, A bill to be entitled "An Act regulating the taking of fish in El Paso county; prescribing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

HOUSE BILL NO. 336 ON PAS-SAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways, etc., and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Stevenson and substitute by Mr. Satterwhite for the amendment, pending.

Mr. Stevenson and Mr. Satterwhite withdrew the pending amendment and substitute.

Mr. Satterwhite offered the following amendment to the bill:

Amend House bill No. 336 by striking out all of Section 5 and inserting in lieu thereof the following:

"Sec. 5. No vehicle with four wheels or less, whose gross weight, including load, is more than 18,000 pounds; no vehicle with six wheels mounted on three axles, whose gross weight, including load, is more than 24,000 pounds (axles of this type of vehicle to be spaced over 60 inches apart); no vehicle having a greater weight than 12,000 pounds on any one axle; and no vehicle having a greater weight than 500 pounds per inch width of tire upon any wheel

concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim), shall be permitted or operated on the public highways of this State. When the axles of any vehicle or any combination of vehicles are spaced less than eight feet apart, the load on any one axle shall not exceed 9000 pounds; provided, however, that when any vehicle equipped with not more than two axles shall have one of said axles mounted upon four wheels (two wheels at each end of the axle operating in tandem), the maximum weight permitted on each axle of this type shall not exceed 10,000 pounds.

"No commercial motor vehicle, truck, tractor, trailer or semi-trailer shall be operated on the public highway with a gross weight in excess of more than 5 per cent of its registered gross weight."

SATTERWHITE,
McGILL,
WEST of Coryell.

Mr. Keller moved the previous question on the pending amendment, all amendments on the Speaker's stand and the bill, and the main question was ordered.

Mr. Ray offered the following amendment to the amendment:

Amend amendment by striking out "24,000 pounds" and substitute therefore "16,000 pounds," and by striking out "8000 pounds" and substituting "6000 pounds," and by striking out "18,000 pounds" and substituting "12,000 pounds."

Mr. Petsch offered the following substitute for the amendment by Mr. Ray:

Substitute for the amendment, by changing the figures "18,000" to "12,000" and the figures "24,000" to "16,000," and change the figures "9000" to "6000," and change the figures "10,000" to "7,000," wherever such figures occur in the bill.

Question first recurring on the amendment by Mr. Petsch, it was lost.

Question then recurring on the amendment by Mr. Ray to the amendment, it was lost.

Question then recurring on the amendment by Mr. Satterwhite, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—45.

Adkins.	Justiss.
Albritton.	Kayton.
Beck.	Lee.
Bradley.	Lockhart.
Brooks.	Long.
Bryant.	McCombs.
Burns of Walker.	McGill.
Carpenter.	Metcalf.
Claunch.	Moffett.
Coltrin.	Olsen.
Cox of Lamar.	Reader.
Cox of Limestone.	Richardson.
Daniel.	Satterwhite.
Farmer.	Scott.
Giles.	Sherrill.
Greathouse.	Smith of Wood.
Hanson.	Stevenson.
Hardy.	Steward.
Harrison	Terrell
of El Paso.	of Val Verde.
Hatchitt.	Van Zandt.
Hoskins.	Walker.
Hughes.	West of Coryell.
Johnson	
of Dallam.	

Nays—78.

Adams of Harris.	Hines.
Adams of Jasper.	Holder.
Adamson.	Holloway.
Akin.	Howsley.
Alsup.	Jackson.
Anderson.	Johnson
Baker.	of Dimmit.
Barron.	Johnson of Morris.
Bond.	Jones of Atascosa.
Bounds.	Jones of Shelby.
Boyd.	Kennedy.
Brice.	Lemens.
Burns	Lilley.
of McCulloch.	McGregor.
Caven.	Magee.
Coombes.	Martin.
Cunningham.	Mathis.
Dale.	Mehl.
Davis.	Moore.
Dodd.	Munson.
Dwyer.	Murphy.
Elliott.	Patterson.
Farrar.	Petsch.
Ferguson.	Ramsey.
Finn.	Ratliff.
Fisher.	Ray.
Forbes.	Rountree.
Ford.	Sanders.
Gilbert.	Savage.
Goodman.	Smith of Bastrop.
Graves.	Sparkman.
Grogan.	Stephens.
Hefley.	Strong.
Herzik.	Sullivant.
Hill.	Tarwater.

Towery.
Turner.
Vaughan.
Veatch.
Wagstaff.

Weinert.
West of Cameron.
Westbrook.
Wyatt.
Young.

Absent.

Bedford.	Laird.
DeWolfe.	Lasseter.
Donnell.	Leonard.
Dowell.	McDougald.
Dunlap.	Nicholson.
Duvall.	O'Quinn.
Engelhard.	Pope.
Fuchs.	Rogers.
Harman.	Shelton.
Harrison	Terrell
of Waller.	of Cherokee.
Holland.	Warwick.
Hubbard.	Wiggs.
Keller.	

Absent—Excused.

Morse.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, line 34, by striking out the word 'five' and insert in lieu thereof the word "ten."

The amendment was lost.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, line 34, by striking out the word "five" and inserting in lieu thereof the word "nine."

The amendment was lost.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, line 34, by striking out the word "five" and inserting the word "eight."

The amendment was lost.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, lines 34 and 35, by striking out the words "or train or combination of vehicles."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—45.

Albritton.	Coltrin.
Anderson.	Cox of Limestone.
Beck.	Daniel.
Bryant.	Donnell.
Burns	Duvall.
of McCulloch.	Engelhard.
Burns of Walker.	Farmer.

Greathouse.	Mehl.
Hanson.	Metcalf.
Hardy.	Olsen.
Harrison	Pope.
of El Paso.	Reader.
Hatchitt.	Richardson.
Holland.	Satterwhite.
Hoskins.	Scott.
Hughes.	Sherrill.
Kayton.	Stevenson.
Lee.	Steward.
Lockhart.	Terrell
Long.	of Val Verde.
McCombs.	Van Zandt.
McDougald.	Walker.
McGill.	Warwick.
Martin.	West of Coryell.

Nays—83.

Adams of Harris.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Adkins.	Jones of Atascosa.
Akin.	Jones of Shelby.
Alsup.	Justiss.
Baker.	Keller.
Barron.	Kennedy.
Bond.	Lemens.
Bounds.	Lilley.
Boyd.	McGregor.
Brice.	Magee.
Brooks.	Mathis.
Carpenter.	Moffett.
Caven.	Moore.
Claunch.	Munson.
Coombes.	Murphy.
Cunningham.	Patterson.
Dale.	Petsch.
Davis.	Ramsey.
DeWolfe.	Ratliff.
Dodd.	Ray.
Dwyer.	Rountree.
Elliott.	Sanders.
Ferguson.	Savage.
Finn.	Shelton.
Fisher.	Smith of Bastrop.
Forbes.	Smith of Wood.
Ford.	Sparkman.
Gilbert.	Stephens.
Giles.	Strong.
Goodman.	Sullivant.
Graves.	Tarwater.
Grogan.	Towery.
Harman.	Turner.
Harrison	Vaughan.
of Waller.	Veatch.
Herzik.	Wagstaff.
Hines.	Weinert.
Holder.	West of Cameron.
Holloway.	Westbrook.
Howsley.	Wyatt.
Hubbard.	

Present—Not Voting.

Lasseter.

Absent.

Bedford.	Johnson
Bradley.	of Dallam.
Cox of Lamar.	Laird.
Dowell.	Leonard.
Dunlap.	Nicholson.
Farrar.	O'Quinn.
Fuchs.	Rogers.
Hefley.	Terrell
Hill.	of Cherokee.
Jackson.	Wiggs.
	Young.

Absent—Excused.

Morse.

Mr. Vaughan offered the following amendment to the bill:

Amend amendment by changing the figures from "10,000 pounds" to "7000 pounds" in Section 5.

VAUGHAN,
VAN ZANDT.

The amendment was adopted by the following vote:

Yeas—69.

Adkins.	Jackson.
Albritton.	Johnson
Alsup.	of Dallam.
Anderson.	Lasseter.
Beck.	Lee.
Boyd.	Leonard.
Bradley.	Lockhart.
Brice.	Long.
Bryant.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Burns of Walker.	Martin.
Carpenter.	Mehl.
Claunch.	Metcalf.
Coltrin.	Moffett.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pope.
Daniel.	Reader.
Davis.	Richardson.
DeWolfe.	Satterwhite.
Dodd.	Savage.
Donnell.	Scott.
Duvall.	Sherrill.
Engelhard.	Smith of Bastrop.
Farmer.	Stevenson.
Giles.	Steward.
Greathouse.	Tarwater.
Hanson.	Terrell
Hardy.	of Val Verde.
Harrison	Van Zandt.
of El Paso.	Vaughan.
Hatchitt.	Veatch.
Hines.	Walker.
Holland.	Warwick.
Hoskins.	West of Coryell.
Hubbard.	Young.
Hughes.	

Nays—63.

Adams of Harris.	Jones of Atascosa.
Adams of Jasper.	Jones of Shelby.
Adamson.	Keller.
Akin.	Kennedy.
Baker.	Lemens.
Barron.	Lilley.
Bond.	McGregor.
Bounds.	Magee.
Brooks.	Mathis.
Caven.	Moore.
Coombes.	Munson.
Cunningham.	Murphy.
Dale.	Olsen.
Dwyer.	Patterson.
Elliott.	Ramsey.
Ferguson.	Ratliff.
Finn.	Ray.
Fisher.	Rountree.
Forbes.	Sanders.
Ford.	Shelton.
Gilbert.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Harrison	Strong.
of Waller.	Sullivant.
Herzik.	Towery.
Hill.	Turner.
Holder.	Wagstaff.
Holloway.	Weinert.
Howsley.	West of Cameron.
Johnson	Westbrook.
of Dimmit.	Wyatt.
Johnson of Morris.	

Absent.

Bedford.	Kayton.
Dowell.	Laird.
Dunlap.	Nicholson.
Farrar.	O'Quinn.
Fuchs.	Rogers.
Grogan.	Terrell
Harman.	of Cherokee.
Hefley.	Wiggs.
Justiss.	

Absent—Excused.

Morse.

Mr. Farmer offered the following amendment to the bill:

Amend House bill No. 336 by striking out the word "eleven" in line 35 on page 2 and insert the word "thirteen" instead.

The amendment was lost.

Mr. Farmer offered the following amendment to the bill:

Amend House bill No. 336 by striking out the word "thirty-five" in line 38, page 2, and insert the word "sixty-five."

The amendment was lost.

Mr. Carpenter offered the following amendment to the bill:

Amend House bill No. 336, page 4 of the printed bill, Section 9, by striking out all of said section after the word "vehicle" in line 36 and insert the following:

"One located at the extreme left-hand front corner of such vehicle and displaying a red light, distinctly visible under normal atmospheric conditions at a distance of 500 feet from the front of said vehicle, and one on the extreme rear left-hand corner of such vehicle; and where a trailer is drawn by such vehicle, then such light shall be located on the extreme left-hand corner of such trailer, distinctly visible from a distance of 500 feet from the rear end of such vehicle and or trailer; both of which lights shall be kept burning while upon a highway from one-half hour after sunset to one-half hour before sunrise; and by changing the word 'white' in line 6, page 5, to the word 'red.'"

Mr. Boyd offered the following amendment to the amendment:

Amend House bill No. 336 by striking out the word "white" in line 37 of Section 9 on page 4 of the printed bill and insert the word "green" in lieu thereof.

The amendment to the amendment was lost.

Mr. Beck moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 336, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. McCombs, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Question then recurring on the amendment by Mr. Carpenter, it was lost.

Mr. Donnell offered the following amendment to the bill:

Amend House bill No. 336, page 3, Section 5, line 34, by adding after the word "vehicle" the words: "with two rear tires, or 10,000 pounds where such vehicles have four rear tires; provided, however, no separate trailer shall carry more than 5000 pounds."

The amendment was lost.

Mr. Metcalfe offered the following amendment to the bill:

Amend House bill No. 336 by adding after the word "husbandry" in line 31 of page 2 the following: "including machinery used solely for the purpose of drilling water wells."

The amendment was lost.

Mr. Kayton offered the following amendment to the bill:

Amend House bill No. 336, page 5, by adding a new section, to be known as 9a, which shall read as follows:

"Within 90 days after the passage of this act, every vehicle, motor vehicle, bus or truck which exceeds in width or height the provisions of this act shall be registered with the Department, and it shall be the duty of the Department to refuse to license such vehicles, busses or trucks twenty-four months after the passage of this act."

The amendment was lost.

Mr. Kayton offered the following amendment to the bill:

Amend House bill No. 336, Section 1, page 2, by adding in line 2 after the word "property" the words "and/or persons."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—45.

Adamson.	Hughes.
Anderson.	Jackson.
Beck.	Johnson
Bradley.	of Dallam.
Burns	Jones of Shelby.
of McCulloch.	Kayton.
Burns of Walker.	Kennedy.
Carpenter.	Lee.
Caven.	Leonard.
Daniel.	Lilley.
Dodd.	Lockhart.
Donnell.	Long.
Engelhard.	McCombs.
Farmer.	Mehl.
Graves.	Pope.
Greathouse.	Ratliff.
Hanson.	Ray.
Hardy.	Richardson.
Harrison	Rountree.
of El Paso.	Scott.
Hatchitt.	Stevenson.
Hefley.	Sullivant.
Holland.	Walker.
Hoskins.	West of Coryell.

Nays—79.

Adams of Harris.	Baker.
Adams of Jasper.	Barron.
Adkins.	Bond.
Akin.	Bounds.
Alsup.	Boyd.

Brooks.	Lemens.
Bryant.	McDougald.
Claunch.	McGill.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Martin.
Cox of Limestone.	Moffett.
Dale.	Moore.
Davis.	Munson.
DeWolfe.	Murphy.
Duvall.	Patterson.
Dwyer.	Petsch.
Elliott.	Ramsey.
Farrar.	Reader.
Ferguson.	Sanders.
Fisher.	Shelton.
Forbes.	Smith of Bastrop.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Giles.	Stephens.
Goodman.	Steward.
Grogan.	Strong.
Harman.	Tarwater.
Harrison	Terrell of Val Verde.
of Waller.	Towery.
Herzik.	Turner.
Hill.	Van Zandt.
Hines.	Vaughan.
Holder.	Veatch.
Holloway.	Wagstaff.
Hubbard.	Weinert.
Johnson	West of Cameron.
of Dimmit.	Westbrook.
Johnson of Morris.	Wyatt.
Justiss.	Young.
Keller.	

Absent.

Albritton.	Metcalfe.
Bedford.	Nicholson.
Brice.	Olsen.
Cunningham.	O'Quinn.
Dowell.	Rogers.
Dunlap.	Satterwhite.
Finn.	Savage.
Gilbert.	Sherrill.
Howsley.	Terrell
Jones of Atascosa.	of Cherokee.
Laird.	Warwick.
Lasseter.	Wiggs.
Mathis.	

Absent—Excused.

Morse.

Mr. Daniel offered the following amendment to the bill:

Amend House bill No. 336 by striking out the word "ninety-six" in line 9, page 3, and insert in lieu thereof the word "eighty-four," and add at the end of said line 9 the following: "provided, that the total gross weight of the passenger vehicle and load shall not exceed 10,000 pounds and shall not operate at a greater speed than 35 miles per hour."

The amendment was lost.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 336, page 2, Section 3, line 36, by striking out the word "thirty" and insert in lieu thereof the following "thirty-three."

The amendment was lost.

Mr. Beck offered the following amendment to the bill:

Amend House bill No. 336, page 4, line 9, by changing the word "ten" to "twenty."

The amendment was adopted.

Mr. Donnell offered the following amendment to the bill:

Amend House bill No. 336, on page 2, Section 3b, by changing the word "eleven" in line 35 to read "twelve."

The amendment was lost.

Mr. Hardy offered the following amendment to the bill:

Amend House bill No. 336 by adding a new section after the end of subdivision b, under Section 15 of Section 9, and before Section 10, which said section shall read as follows to-wit:

"Provided, that the provisions of this bill shall not prevent the transportation of such commodities whose weight exceeds 5000 pounds and cannot be reasonably dismantled, and for the transportation of such commodities which cannot be dismantled and require a vehicle in excess of thirty-five (35) feet; provided, however, that under no circumstances may such vehicles exceed the length of forty-five (45) feet or carry a load in excess of twelve thousand (12,000) pounds without the owner or operator thereof securing a permit to so do, as herein otherwise provided.

"And renumbering the remaining sections accordingly."

HARDY,
WAGSTAFF,
WALKER,
LONG,
HILL.

The amendment was lost.

Mr. McCombs offered the following amendment to the bill:

Amend House bill No. 336, page 6, line 7, by inserting the words "the railways of this State" in lieu of the words "public safety and protection of highways."

The amendment was lost by the following vote:

Yeas—19.

Beck.	Donnell.
Burns of Walker.	Farmer.
Daniel.	Hanson.

Hatchitt.
Holland.
Holloway.
Hoskins.
Hughes.
Lockhart.
Long.

McCombs.
Mehl.
Pope.
Richardson.
Scott.
West of Coryell.

Nays—96.

Adams of Harris.
Adams of Jasper.
Adamson.
Adkins.
Akin.
Anderson.
Baker.
Barron.
Bond.
Bounds.
Boyd.
Bradley.
Brice.
Brooks.
Bryant.
Burns
of McCulloch.
Carpenter.
Caven.
Claunch.
Coltrin.
Coombes.
Cox of Lamar.
Cox of Limestone.
Dale.
Davis.
DeWolfe.
Dodd.
Dunlap.
Duvall.
Dwyer.
Elliott.
Farrar.
Ferguson.
Finn.
Fisher.
Forbes.
Ford.
Goodman.
Graves.
Grogan.
Hardy.
Harman.
Harrison
of Waller.
Hefley.
Herzik.
Hill.
Hines.
Hubbard.

Jackson.
Johnson
of Dimmit.
Johnson of Morris.
Jones of Atascosa.
Jones of Shelby.
Justiss.
Kayton.
Keller.
Kennedy.
Lemens.
Leonard.
Lilley.
McDougald.
McGill.
McGregor.
Magee.
Martin.
Moffett.
Moore.
Munson.
Murphy.
Patterson.
Petsch.
Ramsey.
Ratliff.
Ray.
Reader.
Rountree.
Sanders.
Savage.
Shelton.
Smith of Bastrop.
Smith of Wood.
Sparkman.
Stephens.
Strong.
Tarwater.
Towery.
Turner.
Vaughan.
Veatch.
Wagstaff.
Walker.
Weinert.
West of Cameron.
Westbrook.
Wyatt.
Young.

Present—Not Voting.

Alsup.	Steward.
Giles.	Sullivant.
Greathouse.	Van Zandt.

Absent.

Albritton.	Bedford.
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Cunningham.	Mathis.
Dowell.	Metcalf.
Engelhard.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Harrison	Rogers.
of El Paso.	Satterwhite.
Holder.	Sherrill.
Howsley.	Stevenson.
Johnson	Terrell of Cherokee.
of Dallam.	Terrell of Val Verde.
Laird.	Warwick.
Lasseter.	Wiggs.
Lee.	

Absent—Excused.

Morse.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 336, page 5, by striking out all of line 12 after the word "sunrise" and all of lines 13 and 14, and insert in lieu thereof as follows: "provided, however, that vehicles drawn by animal power may in lieu of such lamps or lanterns be equipped with lighted lanterns front and rear of sufficient candlepower to be visible for a distance of 500 feet from such lanterns under normal atmospheric conditions."

The amendment was lost.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 336 by inserting the word "hour" between the words "one-half" and "after" in line 2, page 5.

The amendment was adopted.

Mr. Pope offered the following amendment to the bill:

Amend Section 3 of House bill No. 336 by adding at the end of said section the following: "provided, the restrictions as to width, height and length, as contained in this section, and the restriction as to weight of load, as contained in Section 5, shall not apply to motor vehicles purchased and placed in used under existing law prior to the effective date of this act, and as to such vehicles so excepted from said restrictions, the law in effect prior to the passage of this act with reference to such restrictions shall continue to apply for a period of three years."

(Pending consideration of the amendment, Mr. Duvall occupied the chair temporarily.)

(Speaker in the chair.)

Question recurring on the amendment by Mr. Pope, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—30.

Beck.	Hoskins.
Bradley.	Hughes.
Burns of Walker.	Kayton.
Coltrin.	Lockhart.
Cox of Lamar.	Long.
Daniel.	McCombs.
Donnell.	Mehl.
Engelhard.	Pope.
Farmer.	Richardson.
Greathouse.	Scott.
Hanson.	Stevenson.
Hardy.	Steward.
Harrison	Tarwater.
of El Paso.	Van Zandt.
Hatchitt.	Walker.
Hefley.	

Nays—85.

Adams of Harris.	Johnson of Morris.
Adams of Jasper.	Jones of Atascosa.
Adamson.	Jones of Shelby.
Adkins.	Justiss.
Akin.	Kennedy.
Alsup.	Lasseter.
Anderson.	Lemens.
Baker.	Leonard.
Barron.	Lilley.
Bond.	McDougald.
Bounds.	McGill.
Brooks.	McGregor.
Bryant.	Magee.
Burns	Martin.
of McCulloch.	Moffett.
Carpenter.	Moore.
Caven.	Munson.
Claunch.	Murphy.
Coombes.	Nicholson.
Cox of Limestone.	Patterson.
Dale.	Petsch.
Davis.	Ramsey.
Dodd.	Ratliff.
Dunlap.	Ray.
Dwyer.	Rountree.
Elliott.	Savage.
Farrar.	Shelton.
Ferguson.	Smith of Bastrop.
Finn.	Smith of Wood.
Fisher.	Sparkman.
Forbes.	Stephens.
Ford.	Strong.
Goodman.	Sullivant.
Graves.	Towery.
Grogan.	Turner.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Warwick.
Holland.	West of Cameron.
Holloway.	Westbrook.
Jackson.	Wyatt.
Johnson	Young.
of Dimmit.	

Absent.

Albritton.	Laird.
Bedford.	Lee.
Boyd.	Mathis.
Brice.	Metcalf.
Cunningham.	Olsen.
DeWolfe.	O'Quinn.
Dowell.	Reader.
Duvall.	Rogers.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Giles.	Sherrill.
Harman.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Howsley.	of Val Verde.
Hubbard.	Weinert.
Johnson	West of Coryell.
of Dallam.	Wiggs.
Keller.	

Absent—Excused.

Morse.

Mr. Anderson offered the following amendment to the bill:

Amend House bill No. 336, page 5, by inserting the following paragraph between lines 22 and 23:

"Every wheel of every vehicle shall be equipped with an adequate brake, which shall be kept in good mechanical order."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—25.

Anderson.	Lockhart.
Beck.	Long.
Boyd.	Mehl.
Daniel.	Pope.
Davis.	Ramsey.
Dwyer.	Reader.
Engelhard.	Richardson.
Farmer.	Scott.
Hardy.	Sherrill.
Harrison	Smith of Bastrop.
of El Paso.	Steward.
Holland.	Sullivant.
Kayton.	Van Zandt.

Nays—85.

Adams of Harris.	Brooks.
Adams of Jasper.	Bryant.
Adamson.	Carpenter.
Adkins.	Caven.
Akin.	Claunch.
Albritton.	Coltrin.
Alsup.	Coombes.
Baker.	Cox of Lamar.
Barron.	Cox of Limestone.
Bond.	Dale.
Bounds.	Dodd.

Donnell.	Lasseter.
Dunlap.	Lemens.
Elliott.	Leonard.
Farrar.	Lilley.
Ferguson.	McDougald.
Finn.	McGill.
Fisher.	McGregor.
Forbes.	Magee.
Ford.	Martin.
Goodman.	Moffett.
Graves.	Moore.
Greathouse.	Munson.
Grogan.	Murphy.
Hanson.	Petsch.
Harrison	Ratliff.
of Waller.	Ray.
Hatchitt.	Rountree.
Hefley.	Shelton.
Herzik.	Smith of Wood.
Hill.	Sparkman.
Hines.	Strong.
Holder.	Tarwater.
Hoskins.	Towery.
Hughes.	Turner.
Jackson.	Vaughan.
Johnson	Wagstaff.
of Dimmit.	Walker.
Johnson of Morris.	Warwick.
Jones of Atascosa.	West of Cameron.
Jones of Shelby.	Westbrook.
Justiss.	Wyatt.
Keller.	Young.
Kennedy.	

Absent.

Bedford.	McCombs.
Bradley.	Mathis.
Brice.	Metcalf.
Burns	Nicholson.
of McCulloch.	Olsen.
Burns of Walker.	O'Quinn.
Cunningham.	Patterson.
DeWolfe.	Rogers.
Dowell.	Sanders.
Duvall.	Satterwhite.
Fuchs.	Savage.
Gilbert.	Stephens.
Giles.	Stevenson.
Harman.	Terrell
Holloway.	of Cherokee.
Howsley.	Terrell
Hubbard.	of Val Verde.
Johnson	Veatch.
of Dallam.	Weinert.
Laird.	West of Coryell.
Lee.	Wiggs.

Absent—Excused.

Morse.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 336, by Mr. Murphy and others, by striking out all of the bill contained after the enacting clause and inserting in lieu thereof the following:

"Section 1. Definitions: The following terms used in this act shall, in the construction of its provisions and purposes, have the meaning herein expressed, unless otherwise specifically declared:

"(a) 'Person' shall include an individual, firm, co-partnership, company, corporation, association, or any other form of organization of individuals, private or corporate.

"(b) 'Vehicle' means every mechanical device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

"(c) 'Motor vehicle' includes every vehicle as herein defined which is self-propelled.

"(d) 'Commercial motor vehicle' means any motor vehicle other than a motorcycle, designed or used for the transportation of property, including every vehicle used for delivery purposes.

"(e) 'Truck-tractor' includes every motor vehicle designed or used privately for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"(f) 'Trailer' means every vehicle without motor power designed or used for carrying property or passengers wholly on its own structure and to be drawn by a motor vehicle.

"(g) 'Semi-trailer' means every vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another motor vehicle.

"(h) 'Department' means the State Highway Department of this State, acting directly or through its duly authorized officers or agents.

"(i) 'Public highway' shall include any road, street, way, thoroughfare or bridge in this State not privately owned or controlled for the use of vehicles over which the State has legislative jurisdiction under its police power.

"(j) 'Owner' means any person who holds a legal title of a vehicle, or who has the legal right of possession thereof, or the legal right of control of said vehicle.

"(k) 'Implement of husbandry' includes every farm implement that is used to till the soil in connection with the production of farm products.

"(l) 'Farm tractor' means every motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry.

"Sec. 2. The maximum size and weight of vehicles specified in this act shall be the lawful standard throughout this State, and it shall be unlawful and constitute a misdemeanor for any person to drive, operate or move, or for the owner to cause or permit to be driven, operated or moved on any highway, any vehicle or vehicles of a size or weight exceeding the limitation stated in this act, or any vehicle or vehicles which are not so constructed or equipped as required in this act.

"Sec. 3. (a) The total outside width of any vehicle, including any load thereon, shall not exceed ninety-six (96) inches, except that the width of a farm tractor shall not exceed nine (9) feet, and except that the limitations as to size of vehicle stated in this section shall not apply to implements of husbandry, highway building and maintenance machinery temporarily propelled upon the public highway.

"(b) No vehicle unladen or with load shall exceed a height of twelve feet and six inches (12' 6"), including load; vehicles between twelve feet and twelve feet and six inches in height, including load, shall be equipped with van-type bodies.

"(c) No vehicle shall exceed a length of thirty-five feet (35'), and no combination of vehicles shall exceed a length of sixty-five feet (65') unless such combination is operated exclusively within the limits of an incorporated city or town.

"(d) No train of vehicles or vehicle operated alone shall carry any load extending more than three feet (3') beyond the front thereof nor beyond the rear thereof a distance in excess of three feet (3').

"(e) Passenger vehicles shall not carry any load extending more than three inches (3") beyond the line of the fenders on the left side of such vehicle, nor extending more than six inches (6") beyond the line of the fender on the right side thereof.

"(f) No commercial vehicle shall be driven along the highway closer than two hundred feet (200') to another commercial vehicle going in the same direction except for the purpose of overtaking and passing another commercial vehicle.

"(g) No vehicle shall be operated or moved upon any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, shifting, leaking or otherwise escaping therefrom.

"(h) All operators of commercial vehicles exceeding a carrying capacity of one ton shall at all times have on their person or attached to the vehicle either the receipt or duplicate issued by the tax collector for the registration of such vehicle for the current year. This receipt shall show the gross weight of the vehicle, the motor number of the vehicle, if any, and the number of the license plates issued for such vehicle for the current year. All owners of motor vehicles shall be required to supply the driver, or equip the vehicle, with these receipts or duplicates, and all tax collectors are authorized to and shall issue duplicate receipts for this purpose as specified in Chapter 88, General Laws, Second Called Session, Forty-first Legislature.

"Sec. 4. Whenever the load or drawbar or coupling on any vehicle shall extend more than three feet (3') beyond the rear of the bed or body thereof, there shall be displayed at the end of such load or extension in such position as to be clearly visible at all times from the rear of such load or extension, a red flag not less than twelve inches (12") both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of any such load or extension a red or yellow light, plainly visible under normal atmospheric conditions at least two hundred feet (200') from the rear of such vehicle.

"Sec. 5. (a) No vehicle with four wheels or less, whose gross weight, including load, is more than twenty-two thousand (22,000) pounds; no vehicle with six wheels, whose gross weight, including load, is more than thirty thousand (30,000) pounds (axles of this type of vehicle to be spaced over forty inches (40") apart); no vehicle having a greater weight than sixteen thousand (16,000) pounds on any one axle; and no vehicle having a greater weight than six hundred (600) pounds per inch width of tire upon any wheel concentrating upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of

the rim), shall be permitted to be operated on the public highways of this State. When the axles of any vehicle or any combination of vehicles are spaced less than eight feet (8') apart, the load on any one axle shall not exceed ten thousand four hundred (10,400) pounds; provided, however, that when any vehicle equipped with not more than two axles shall have one of said axles mounted upon four wheels (two wheels at each end of the axle, operating in tandem) The maximum weight permitted on each axle of this type shall not exceed sixteen thousand (16,000) pounds.

"(b) No commercial motor vehicle, truck-tractor, trailer or semi-trailer shall be operated on the public highway with a gross weight in excess of more than five (5) per cent of its registered gross weight.

"Sec. 6. Any license and weight inspector of the State highway Department, having reason to believe that the gross weight of a loaded vehicle exceeds the lawful limit, is authorized to weigh the same, either by means of portable or stationary scales, and to require that such vehicles be driven to the nearest scale in the event such scales are within two (2) miles. The inspector may then require the driver or operator to unload without delay any such portion of the load as may be necessary to decrease the gross weight of such vehicle to the lawful weight.

"Sec. 7. It shall be unlawful for any motor vehicle to be driven upon any highway outside of the limits of an incorporated city or town drawing or having attached thereto more than one other vehicle, except that a motor vehicle with semi-trailer may draw in addition thereto one other vehicle.

"(b) The drawbar or other connection between any two vehicles, one of which towing or drawing the other on a highway, shall not exceed twenty-five feet (25') in length from one vehicle to the other. Whenever such connection consists of a chain, rope or cable of greater length than ten feet (10'), there shall be displayed upon such connection a red flag or other signal or cloth not less than twelve inches (12") square.

"Sec. 8. (a) It shall be unlawful for any person to operate or drive any motor or other vehicle upon the public highways at a rate of speed in excess of forty-five (45) miles per hour,

or to drive or operate a motor or other vehicle within the corporate limits of an incorporated city or town or within or through any town or village not incorporated, at a greater rate of speed than twenty-five (25) miles per hour.

"(b) It shall be unlawful to operate upon a public highway a commercial motor vehicle, as defined in this act, of a gross weight, including its load, of ten thousand (10,000) pounds or less at a rate of speed in excess of thirty-five (35) miles per hour; or such vehicle of a gross weight, including its load, or as much as ten thousand (10,000) pounds and not more than fifteen thousand (15,000) pounds at a rate of speed in excess of twenty-five (25) miles per hour; or such a vehicle of a gross weight, including its load, of over fifteen thousand (15,000) pounds at a rate of speed in excess of twenty (20) miles per hour; provided, that it shall be unlawful to operate any combination of vehicles coupled or fastened together at a greater rate of speed than twenty-five (25) miles per hour.

"Sec. 9. Every motor vehicle, other than any road-roller, road machinery or farm tractor, having a width at any part in excess of seventy inches (70") shall carry two clearance lamps on the left side of such vehicle, one located at the front and displaying a white light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of the vehicle, and the other located at the rear of the vehicle and displaying a (yellow or red) light visible under like conditions from a distance of five hundred feet (500') to the rear of the vehicle, both of which lights shall be kept lighted following such vehicle while any such vehicle is upon a highway from one-half hour after sunset to one-half hour before sunrise.

"(b) A motor vehicle requiring clearance lights hereunder may, in lieu of such clearance lights, be equipped with adequate reflectors conforming as to color and marginal location to the requirements for clearance light. No such reflector shall be deemed adequate unless it is so designed, located as to height and maintained as to be visible for at least two hundred feet (200') when opposed by the light of a motor vehicle displaying lawful, undimmed headlights at night on an unlighted highway.

"(c) All vehicles not heretofore

required by law to be equipped with specified lighted lamps shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than five hundred feet (500') from the front of such vehicle and displaying a (yellow or red) light visible under like conditions from a distance of not less than five hundred feet (500') from the rear of such vehicles, which light or lights shall be kept lighted while the vehicle is upon the highway from one-half hour after sunset to one-half hour before sunrise; provided, however, that vehicles drawn by animal power may, in lieu of such lamps or lanterns, be equipped with reflectors as herein permitted for clearance lights. Reflectors herein referred to must be approved by the Department as to specifications before they can be lawfully used on a vehicle, and it shall be unlawful and constitute a misdemeanor to use a reflector on a motor vehicle unless it has been approved by the Department, and such approval by the Department shall be firmly affixed to such reflector.

"(d) Every owner, driver or operator of a vehicle while it is upon the main traveled portion of a highway during the period from one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person upon the highway for a distance of at least two hundred feet (200') ahead, shall keep lighted all lamps or lighting devices with which such vehicle is required to be equipped, whether the vehicle is in motion or not; and all motor vehicles, trailers and semi-trailers shall be equipped with and shall keep lighted either a red or yellow tail light on the rear of any single or combination of vehicles.

"(e) It shall be unlawful for any person to operate or move any vehicle upon a highway with a red light thereon visible directly from the front thereof, except that this section shall not apply to law enforcement officers, fire departments and ambulances.

"(f) Every motor vehicle other than a motorcycle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two

wheels. If these two separate means of applying the brakes are connecting in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels. Any combination of motor vehicles, trailer, semi-trailer or other vehicle, shall be equipped with brakes upon one or more of such vehicles, adequate to stop such combination of vehicles in dry weather upon a reasonable level surface within a distance of forty-five feet from the spot where such brakes are first applied when such vehicle or combination of vehicles are traveling at a rate of speed of twenty miles per hour.

"(g) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order, capable of emitting sounds audible under normal conditions for a distance of not less than two hundred feet (200'), and it shall be unlawful for any vehicle to be equipped with or for any person to use upon a vehicle any bell, siren, compression or exhaust whistle, or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonable loud or harsh sound by means of a horn or other warning device, except that vehicle operated in the performance of duty by law enforcement officers, fire departments and ambulances may attach and use a bell, siren, compression or exhaust whistle.

"Sec. 10. Every motor vehicle engaged in the transportation of passengers for hire shall be equipped with at least one quart of chemical-type fire extinguisher in good condition and conveniently located for immediate use.

"Sec. 11. No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of any incorporated town or city, when it is possible to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway; provided, in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway unless a clear and unobstructed width of not less than fifteen feet (15') upon the main traveled portion of said high-

way opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of two hundred feet (200') in each direction upon such highway.

"(b) When it is impossible to park or leave such vehicle standing off the paved, improved or main traveled portion of such highway, then the person in charge of such vehicle shall display in plain view upon such highway, continuously while said vehicle remains in such position and distance of two hundred feet (200') from the front and rear, respectively, of said vehicle in the daylight red flags and at night red or yellow lights or reflectors.

"(c) Whenever any peace officer or license and weight inspector of the Department shall find a vehicle standing upon a highway in violation of the provisions of this section, he shall move such vehicle or require the driver or person in charge of such vehicle to move the same to a position permitted under this section.

"Sec. 12. The Department is hereby authorized to classify, designate and mark both intrastate and interstate State highways lying within the boundaries of this State and to provide a uniform system of marking and signing such highways under the jurisdiction of this State, and such system of marking and signing shall correlate with and so far as possible conform to the system adopted in other States.

"Sec. 13. The Department is hereby authorized to designate main, traveled or through highways by the erection at the entrances thereto, signs notifying drivers of vehicles to come to a full stop before entering or crossing any such highway; and whenever any such highway sign has been so erected it shall be unlawful for the driver or operator of any vehicle to fail to stop in obedience thereto.

"Sec. 14. No unauthorized person shall erect or maintain upon any State highway any warning or direction signs, markers, signal or light, and no person shall erect or maintain upon any highway any traffic or highway sign or signals bearing thereon any commercial advertising, provided nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers or

signals bearing thereon the name of an organization authorized by the Department to erect the same.

"Sec. 15. Any person who shall deface, injure, knock down or remove any sign, posted as provided in this act, shall be guilty of a misdemeanor.

"Sec. 16. It shall be unlawful for any person to operate or permit to be operated any commercial vehicle of over one ton carrying capacity upon the highways of this State without having first obtained a chauffeur's license as provided in Article 6687 of the Revised Civil Statutes of Texas of 1925.

"Sec. 17. (a) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of this act.

"(b) Any person violating any provision of this act shall, upon conviction, be punished by a fine in any sum not exceeding two hundred dollars (\$200); for the second conviction of violation of any provision of this act within one year thereafter such person shall be punished by a fine of not exceeding two hundred dollars (\$200), or by both imprisonment for not more than twenty (20) days and a fine of two hundred dollars; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by fine of not more than five hundred dollars (\$500) or by imprisonment of not more than six months, or by both such fine and imprisonment.

"Sec. 18. To provide the more efficient enforcement of this act, and of all other laws relating to vehicles and their use upon the public highways, the State Highway Department is hereby authorized to employ fifty (50) license and weight inspectors, to be known as the State Highway Patrol, who shall be charged with the duty of enforcing all of said laws. The said inspectors, upon appointment, shall be given a position by the chairman and one other member of the State Highway Commission, and attested by the executive head of the Department; and the said inspector or patrol shall have the rights and powers of peace officers generally anywhere in this State for the sole and only purpose of the enforcement of the provisions of this act and any and all other laws relating to vehicles and traffic on the public highways of this State.

"Sec. 19. If any part or parts of this act shall be held to be unconstitutional, such invalidity shall not affect the validity of each and all of the remaining parts of the act.

"Sec. 20. Chapter 42 of the Second Called Session of the Forty-first Legislature, Article 827a, Criminal Statutes of the State of Texas, regulating the operation of vehicles on the public highways, and all other laws or parts of laws that may be found in conflict with the provisions of this act, or any part of such provision, are hereby expressly repealed.

"Sec. 21. The importance of this legislation for the protection of the public safety and for the advantage of the public in the use of the public highways, and the crowded condition of the calendar, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring the reading of bills on three consecutive days in each house, and such rule is hereby suspended, and this act shall take effect and be enforced from and after its passage, and it is so enacted."

The amendment was lost by the following vote:

Yeas—23.

Beck.	Hoskins.
Burns of Walker.	Lasseter.
Coltrin.	Lockhart.
Cox of Lamar.	Long.
Daniel.	McCombs.
Engelhard.	Mehl.
Farmer.	Pope.
Greathouse.	Richardson.
Hardy.	Scott.
Harrison	Sherrill.
of El Paso.	Walker.
Hatchitt.	West of Coryell.

Nays—96.

Adams of Harris.	Bryant.
Adamson.	Burns
Adkins.	of McCulloch.
Akin.	Carpenter.
Albritton.	Caven.
Alsup.	Claunch.
Anderson.	Coombes.
Baker.	Cox of Limestone.
Barron.	Dale.
Bond.	Davis.
Bounds.	DeWolfe.
Bradley.	Dodd.
Brice.	Dunlap.
Brooks.	Dwyer.

Elliott.	Magee.
Farrar.	Martin.
Ferguson.	Mathis.
Finn.	Metcalfe.
Fisher.	Moffett.
Forbes.	Moore.
Ford.	Munson.
Giles.	Murphy.
Goodman.	Patterson.
Graves.	Petsch.
Grogan.	Ramsey.
Harrison	Ratliff.
of Waller.	Ray.
Hefley.	Reader.
Herzik.	Rountree.
Hill.	Sanders.
Hines.	Savage.
Holder.	Shelton.
Holland.	Smith of Bastrop.
Holloway.	Smith of Wood.
Hubbard.	Sparkman.
Hughes.	Stephens.
Jackson.	Strong.
Johnson	Sullivant.
of Dimmit.	Towery.
Johnson of Morris.	Turner.
Jones of Atascosa.	Van Zandt.
Jones of Shelby.	Vaughan.
Keller.	Veatch.
Kennedy.	Wagstaff.
Lemens.	Warwick.
Leonard.	West of Cameron.
Lilley.	Westbrook.
McDougald.	Wyatt.
McGill.	Young.
McGregor.	

Present—Not Voting.

Hanson.

Absent.

Adams of Jasper.	Lee.
Bedford.	Nicholson.
Boyd.	Olsen.
Cunningham.	O'Quinn.
Donnell.	Rogers.
Dowell.	Satterwhite.
Duvall.	Stevenson.
Fuchs.	Steward.
Gilbert.	Tarwater.
Harman.	Terrell
Howsley.	of Cherokee.
Johnson	Terrell
of Dallam.	of Val Verde.
Justiss.	Weinert.
Kayton.	Wiggs.
Laird.	

Absent—Excused.

Morse.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 336 was then passed to engrossment by the following vote:

Yeas—101.

Adams of Harris.	Johnson of Dallam.
Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Albritton.	Jones of Atascosa.
Alsup.	Jones of Shelby.
Anderson.	Kayton.
Baker.	Keller.
Barron.	Kennedy.
Bond.	Lasseter.
Bounds.	Lee.
Bradley.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	McGill.
Burns	McGregor.
of McCulloch.	Magee.
Carpenter.	Martin.
Caven.	Mathis.
Claunch.	Mehl.
Coombes.	Metcalfe.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Dale.	Munson.
Davis.	Murphy.
DeWolfe.	Patterson.
Dodd.	Petsch.
Dunlap.	Ramsey.
Duvall.	Ratliff.
Dwyer.	Ray.
Elliott.	Reader.
Farrar.	Rountree.
Ferguson.	Sanders.
Finn.	Savage.
Fisher.	Smith of Bastrop.
Forbes.	Smith of Wood.
Ford.	Sparkman.
Giles.	Stephens.
Goodman.	Steward.
Graves.	Strong.
Grogan.	Sullivant.
Harrison	Towery.
of Waller.	Turner.
Hefley.	Van Zandt.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Warwick.
Holland.	West of Cameron.
Holloway.	Westbrook.
Hubbard.	Wyatt.
Jackson.	Young.

Nays—25.

Beck.	Hanson.
Burns of Walker.	Hardy.
Coltrin.	Harrison
Daniel.	of El Paso.
Engelhard.	Hatchitt.
Farmer.	Hoskins.
Greathouse.	Hughes.

Lockhart.	Shelton.
McCombs.	Sherrill.
McDougald.	Stevenson.
Pope.	Tarwater.
Richardson.	Walker.
Scott.	West of Coryell.

Present—Not Voting.

Long.

Absent.

Adams of Jasper.	Nicholson.
Bedford.	Olsen.
Boyd.	O'Quinn.
Cunningham.	Rogers.
Donnell.	Satterwhite.
Dowell.	Terrell
Fuchs.	of Cherokee.
Gilbert.	Terrell
Harman.	of Val Verde.
Howsley.	Weinert.
Justiss.	Wiggs.
Laird.	

Absent—Excused.

Morse.

Paired.

Mr. Long (present), who would vote "nay," with Mr. Adams of Jasper (absent), who would vote "yea."

HOUSE BILL NO. 336 ON THIRD READING.

Mr. Murphy moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Harris.	Cox of Limestone.
Adamson.	Dale.
Adkins.	Davis.
Akin.	DeWolfe.
Albritton.	Dodd.
Alsup.	Dunlap.
Anderson.	Duvall.
Baker.	Dwyer.
Barron.	Elliott.
Bond.	Farrar.
Bounds.	Ferguson.
Bradley.	Finn.
Brice.	Fisher.
Brooks.	Forbes.
Bryant.	Ford.
Burns	Giles.
of McCulloch.	Goodman.
Carpenter.	Graves.
Caven.	Grogan.
Claunch.	Hanson.
Coltrin.	Harman.
Coombes.	

Harrison	Murphy.
of Waller.	Patterson.
Hefley.	Petsch.
Herzik.	Ramsey.
Hill.	Ratliff.
Hines.	Ray.
Holder.	Reader.
Holland.	Rountree.
Holloway.	Sanders.
Hubbard.	Savage.
Jackson.	Shelton.
Johnson	Sherrill.
of Dallam.	Smith of Bastrop.
Johnson	Smith of Wood.
of Dimmit.	Sparkman.
Johnson of Morris.	Stephens.
Jones of Atascosa.	Stevenson.
Jones of Shelby.	Steward.
Kayton.	Strong.
Kennedy.	Sullivant.
Lee.	Towery.
Lemens.	Turner.
Leonard.	Van Zandt.
Lilley.	Vaughan.
McDougald.	Veatch.
McGill.	Wagstaff.
McGregor.	Walker.
Magee.	Warwick.
Martin.	West of Cameron.
Mathis.	West of Coryell.
Moffett.	Westbrook.
Moore.	Wyatt.
Munson.	Young.

Nays—21.

Beck.	Hoskins.
Burns of Walker.	Hughes.
Cox of Lamar.	Lasseter.
Daniel.	Lockhart.
Engelhard.	Long.
Farmer.	McCombs.
Greathouse.	Mehl.
Hardy.	Metcalf.
Harrison	Pope.
of El Paso.	Richardson.
Hatchitt.	Scott.

Present—Not Voting.

Tarwater.

Absent.

Adams of Jasper.	Nicholson.
Bedford.	Olsen.
Boyd.	O'Quinn.
Cunningham.	Rogers.
Donnell.	Satterwhite.
Dowell.	Terrell
Fuchs.	of Cherokee.
Gilbert.	Terrell
Howsley.	of Val Verde.
Justiss.	Weinert.
Keller.	Wiggs.
Laird.	

Absent—Excused.

Morse.

The Speaker then laid House bill No. 336 before the House on its third reading and final passage.

The bill was read third time.

Mr. Carpenter offered the following amendment to the bill:

Amend House bill No. 336, page 5, Section 10b, lines 33 and 37, by inserting the words "in the county jail" after the word "imprisonment" in said lines, respectively.

Mr. Bond moved the previous question on the pending amendment and the bill, and the previous question was ordered.

Question first recurring on the amendment by Mr. Carpenter, it was adopted.

House bill No. 336 was then passed by the following vote:

Yeas—102.

Adams of Harris.	Hefley.
Adamson.	Herzik.
Adkins.	Hill.
Akin.	Hines.
Albritton.	Holder.
Alsup.	Holland.
Anderson.	Holloway.
Baker.	Hubbard.
Barron.	Jackson.
Bond.	Johnson
Bounds.	of Dallam.
Bradley.	Johnson
Brice.	of Dimmit.
Brooks.	Johnson of Morris.
Bryant.	Jones of Atascosa.
Burns	Jones of Shelby.
of McCulloch.	Kayton.
Carpenter.	Kennedy.
Caven.	Lasseter.
Claunch.	Lee.
Coltrin.	Lemens.
Coombes.	Leonard.
Cox of Lamar.	Lilley.
Cox of Limestone.	McGill.
Dale.	McGregor.
Davis.	Magee.
DeWolfe.	Martin.
Dodd.	Mathis.
Dunlap.	Mehl.
Duvall.	Moffett.
Dwyer.	Moore.
Elliott.	Munson.
Farrar.	Murphy.
Ferguson.	Patterson.
Finn.	Petsch.
Fisher.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Giles.	Reader.
Goodman.	Rountree.
Graves.	Sanders.
Grogan.	Satterwhite.
Harman.	Savage.
Harrison of Waller.	Smith of Bastrop.

Smith of Wood.	Vaughan.
Sparkman.	Veatch.
Stephens.	Wagstaff.
Steward.	Warwick.
Strong.	West of Cameron.
Sullivant.	Westbrook.
Towery.	Wyatt.
Turner.	Young.
Van Zandt.	

Nays—24.

Beck.	Lockhart.
Burns of Walker.	Long.
Daniel.	McCombs.
Engelhard.	McDougald.
Farmer.	Pope.
Greathouse.	Richardson.
Hanson.	Scott.
Hardy.	Shelton.
Harrison	Sherrill.
of El Paso.	Stevenson.
Hatchitt.	Walker.
Hoskins.	West of Coryell.
Hughes.	

Present—Not Voting.

Donnell.

Absent.

Adams of Jasper.	Nicholson.
Bedford.	Olsen.
Boyd.	O'Quinn.
Cunningham.	Rogers.
Dowell.	Tarwater.
Fuchs.	Terrell
Gilbert.	of Cherokee.
Howsley.	Terrell
Justiss.	of Val Verde.
Keller.	Weinert.
Laird.	Wiggs.
Metcalfe.	

Absent—Excused.

Morse.

Paired.

Mr. Donnell (present), who would vote "nay," with Mr. Justiss (absent), who would vote "yea."

Reasons for Vote.

While I favor strict regulation of busses and trucks, I am of the opinion the passage of this bill in its present form would compel every rice farmer, refining company, oil field operator and wholesale distributor to dispose of their automobile equipment without a reasonable length of time in which to comply with the provisions of the bill. I, therefore, vote "no."

McDOUGALD.

I believe that our highways were built for commercial as well as for personal transportation. The commercial truck is an economic develop-

ment, which cannot be prevented by legislation. It is the only form of commercial transportation available to many of our communities. Its use should not be denied, but its abuse should be prevented. It should be strictly regulated in the interest of public safety and the preservation of the highways. The largest use possible should be permitted, subject to these limitations. Excessive speed, length, width and height should not be permitted in the interest of the public safety. Gross weight should in no instance be sufficiently large to damage bridges or culverts. Damage to the surface of the highways should be prevented by limiting the speed and by limiting the weight of the load in accordance with the number and spacing of axles and wheels and bearing surface of tire upon the surface of the highway, distributing the load over a comparatively large area. The present bill does great violence to these principles. In my judgment, it is a prohibition rather than a regulation bill. I vote "no."

WEST of Coryell.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. N. No. 48, Recalling certain bill from Governor.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 3, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 368, A bill to be entitled "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925," with amendments.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 368 WITH SENATE AMENDMENTS.

Mr. Holder called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 368, A bill to be entitled "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Holder moved that the House concur in the Senate amendments.

Mr. Pope moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

Question first recurring on the motion by Mr. Pope, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—84.

Adams of Harris.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Akin.	Johnson
Albritton.	of Dimmit.
Baker.	Jones of Atascosa.
Beck.	Jones of Shelby.
Bedford.	Justiss.
Bond.	Kayton.
Boyd.	Keller.
Bradley.	Kennedy.
Brice.	Lasseter.
Bryant.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Burns of Walker.	Long.
Caven.	McCombs.
Coombes.	McDougald.
Dale.	McGill.
Daniel.	Magee.
Davis.	Martin.
DeWolfe.	Mathis.
Donnell.	Moore.
Elliott.	Patterson.
Engelhard.	Petsch.
Farmer.	Pope.
Farrar.	Ratliff.
Ferguson.	Richardson.
Fisher.	Rogers.
Gilbert.	Sanders.
Goodman.	Scott.
Greathouse.	Sherrill.
Hardy.	Sparkman.
Harman.	Stevenson.
Harrison	Strong.
of El Paso.	Tarwater.
Hatchitt.	Towery.
Hefley.	Turner.
Herzik.	Vaughan.
Holland.	Wagstaff.
Hoskins.	Walker.
Howsley.	Weinert.
Hubbard.	West of Cameron.
Hughes.	Young.

Nays—31.

Adams of Jasper.	Lee.
Alsup.	McGregor.
Bounds.	Mehl.
Brooks.	Metcalfe.
Claunch.	Moffett.
Coltrin.	Murphy.
Cox of Lamar.	Reader.
Cox of Limestone.	Rountree.
Forbes.	Savage.
Ford.	Shelton.
Graves.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hill.	Sullivant.
Holder.	Van Zandt.
Holloway.	Westbrook.
Johnson of Morris.	

Present—Not Voting.

Stephens.

Absent.

Anderson.	Munson.
Barron.	Nicholson.
Carpenter.	Olsen.
Cunningham.	O'Quinn.
Dodd.	Ramsey.
Dowell.	Ray.
Dunlap.	Satterwhite.
Duvall.	Steward.
Dwyer.	Terrell
Finn.	of Cherokee.
Fuchs.	Terrell
Giles.	of Val Verde.
Hanson.	Veatch.
Harrison	Warwick.
of Waller.	West of Coryell.
Hines.	Wiggs.
Laird.	Wyatt.
Lemens.	

Absent—Excused.

Morse.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 3, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 981, A bill to be entitled
"An Act to empower cities having a
population of not less than twenty-
seven thousand (27,000) nor more
than twenty-eight thousand (28,000)
inhabitants, as shown by the preced-
ing Federal census, to encumber any
one or more of its gas, water, light
or sewer systems, the income thereof
and everything pertaining thereto or
any part thereof, and by the terms
of such encumbrance to grant to the

purchaser under any sale or foreclos-
ure under such encumbrance a fran-
chise to operate said encumbered sys-
tem or systems for not over twenty
years after such purchase, etc., and
declaring an emergency," with
amendments.

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 884 ON THIRD
READING.

On motion of Mr. McDougald, the
regular order of business was sus-
pended to take up and have placed
on its third reading and final passage,

H. B. No. 884, A bill to be entitled
"An Act authorizing counties having
a city or cities other than county
seats within their boundaries having
a population of 20,000 and over to
provide, maintain and repair sub-
courthouses and/or jails in said cities,
etc., and declaring an emergency."

The Speaker laid the bill before the
House, and it was read third time.

Mr. McDougald offered the follow-
ing amendments to the bill:

(1)

Amend House bill No. 884 by strik-
ing out, in the body of the bill, the
word "sub-courthouse" wherever it
appears and inserting in lieu thereof
the words "office building."

(2)

Amend caption of House bill No.
884 by striking out the word "sub-
courthouse" wherever it appears and
inserting in lieu thereof the words
"office building."

The amendments were severally
adopted.

House bill No. 884 was then passed
by the following vote:

Yeas—103.

Adamson.	Coltrin.
Adkins.	Coombes.
Albritton.	Cox of Lamar.
Alsup.	Cox of Limestone.
Baker.	Dale.
Barron.	Davis.
Beck.	Dodd.
Bounds.	Dunlap.
Bradley.	Duvall.
Brice.	Dwyer.
Bryant.	Elliott.
Burns of Walker.	Engelhard.
Caven.	Farrar.
Claunch.	Ferguson.

Finn.	McCombs.
Fisher.	McDougald.
Forbes.	McGill.
Ford.	Magee.
Giles.	Martin.
Goodman.	Mathis.
Graves.	Moffett.
Greathouse.	Moore.
Grogan.	Munson.
Hardy.	Murphy.
Harman.	Petsch.
Harrison	Ratliff.
of El Paso.	Ray.
Harrison	Reader.
of Walker.	Rountree.
Hefley.	Sanders.
Herzik.	Satterwhite.
Holder.	Savage.
Holland.	Sherrill.
Holloway.	Smith of Bastrop.
Hubbard.	Smith of Wood.
Hughes.	Sparkman.
Jackson.	Stephens.
Johnson	Steward.
of Dallam.	Strong.
Johnson	Sullivant.
of Dimmit.	Tarwater.
Johnson of Morris.	Terrell
Jones of Atascosa.	of Val Verde.
Jones of Shelby.	Towery.
Kayton.	Turner.
Keller.	Vaughan.
Kennedy.	Veatch.
Lasseter.	Wagstaff.
Lee.	Walker.
Lemens.	Warwick.
Leonard.	West of Cameron.
Lilley.	Westbrook.
Lockhart.	Wyatt.
Long.	Young.

Nays—3.

Brooks.	Farmer.
Burns	
of McCulloch.	

Present—Not Voting.

Akin.	Hanson.
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Absent.

Adams of Harris.	Hill.
Adams of Jasper.	Hines.
Anderson.	Hoskins.
Bedford.	Howsley.
Bond.	Justiss.
Boyd.	Laird.
Carpenter.	McGregor.
Cunningham.	Mehl.
Daniel.	Metcalf.
DeWolfe.	Nicholson.
Donnell.	Olsen.
Dowell.	O'Quinn.
Fuchs.	Patterson.
Gilbert.	Pope.
Hatchitt.	Ramsey.

Richardson.	Terrell
Rogers.	of Cherokee.
Scott.	Van Zandt.
Shelton.	Weinert.
Stevenson.	West of Coryell.
	Wiggs.

Absent—Excused.

Morse.

ADJOURNMENT.

On motion of Mr. Mathis, the House, at 2:10 o'clock p. m., adjourned until 9 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Banks and Banking: House bill No. 910.

Revenue and Taxation: Senate bill No. 98, House bill No. 902.

Agriculture: Senate bill No. 114, House bill No. 782.

Privileges, Suffrage and Elections: House bill No. 48.

Conservation and Reclamation: House bill No. 239, Senate bill No. 334.

Judicial Districts: House bill No. 997.

Appropriations: House bill No. 507, Senate bill No. 577.

Judiciary: House bill No. 1002.

The Committee on Privileges, Suffrage and Elections filed adverse reports on bills as follows: House bills Nos. 927, 361 and 283.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, April 3, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 48, Requesting return of House bill No. 242 from the Governor.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.